

STATE OF VERMONT  
PUBLIC SERVICE BOARD

Petition of Vermont Gas Systems, Inc., )  
requesting a Certificate of Public Good pursuant )  
to 30 V.S.A. § 248, authorizing the construction )  
of the "Addison Natural Gas Project" consisting )  
of approximately 43 miles of new natural gas )  
transmission pipeline in Chittenden and Addison )  
Counties, approximately 5 miles of new )  
distribution mainlines in Addison County, )  
together with three new gate stations in )  
Williston, New Haven and Middlebury, )  
Vermont )

Docket No. 7970

RESPONSE OF PETITIONER TO VERMONT FUEL DEALER ASSOCIATION'S  
SECOND SET OF INFORMATION REQUESTS ON PETITIONER

This is the response of Vermont Gas Systems, Inc. ("VGS" or "Petitioner") to the Second Set of Discovery Requests ("Discovery Requests") of Vermont Fuel Dealers Association ("VFDA"). Petitioner is filing one complete hard copy of its responses with the Public Service Board ("Board"), with two copies served on VFDA and a copy served on each other party of record.

**General Objections:**

1. Petitioner objects to any instructions contained in the Discovery Requests to the extent such instructions purport to place on Petitioner greater requirements or reserve greater rights to VFDA than are permitted by the Vermont Rules of Civil Procedure as made applicable to Board proceedings through Board Rule 2.214 (A).
2. Petitioner objects to any request for information or production of document(s) that is (or are) subject to the attorney-client privilege, constitute work product, are protected under state or federal law or are proprietary, competitively sensitive or confidential.
3. Petitioner objects to requests to the extent that they (a) are overbroad or unduly burdensome; (b) are cumulative; (c) call for the production of documents not in the possession, custody or control of Petitioner; (d) call for the review, compilation, or production of publicly-available documents that could be obtained by the requesting party in a less burdensome manner; (e) are vague and/or ambiguous; (f) seek information not reasonably calculated to lead to the discovery of admissible evidence; or (g) call for the review, compilation, or production of a voluminous number of documents at great expense to Petitioner.

4. Petitioner does not hereby waive any objections, and it reserves the right to later raise any additional, available objections.

5. Responses and objections indicated herein reflect the position of the individual specified by Petitioner and not the other respondents unless specifically stated otherwise.

**REQUESTS FOR ADMISSION**

**Q.VFDA:VGS.RFA.2-1:** With reference to PRIOR ANSWER VGS.RFA.1-5:

- (a) Is the statement "VGS is not able to answer this question" YOUR full and complete YOUR objection to Request for Admission No. 5?
- (b) Do YOU contend that a question exists as to whether greenhouse gases contribute to global warming?
- (c) If YOUR answer to (b) is "Yes," IDENTIFY the source of all information that YOU contend support(s) that conclusion.

**A.VFDA:VGS.RFA.2-1:**

- a. Objection, calls for a legal conclusion. Notwithstanding the objection, see (b) below.
- b. Vermont Gas is aware of scientific debate around the subject of climate change. Vermont Gas admits that there is a significant body of scientific work strongly linking greenhouse gases to climate change.
- c. N/A.

Person Responsible for Response: Eileen Simollardes  
Title: Vice President, Supply and Regulatory Affairs, Vermont Gas Systems, Inc.  
Date: May 30, 2013

**Q.VFDA:VGS.RFA.2-2:** With reference to PRIOR ANSWER VGS.RFA.1-6:

(a) Is the statement "VGS is not able to answer this question" YOUR full and complete objection to Request for Admission No. 6?

(b) Are you aware of any DOCUMENT(S) that maintain that global warming is damaging or threatening to damage Vermont's environment? If so, IDENTIFY such DOCUMENT(S) and produce copies of any that are in YOUR possession.

**A.VFDA:VGS.RFA.2-2:**

a. Objection, calls for a legal conclusion. Notwithstanding the objection, see (b) below.

b. Objection, overly broad and unduly burdensome. The term global warming appears in all types of documents almost daily, including newspapers and electronic media. Vermont Gas is not currently aware of any specific studies on the topic of damage to Vermont's environment.

Person Responsible for Response: Eileen Simollardes

Title: Vice President, Supply and Regulatory Affairs, Vermont Gas Systems, Inc.

Date: May 30, 2013

**Q.VFDA:VGS.RFA.2-3:** With reference to PRIOR ANSWER VGS.RFA.1-7: Is Petitioner aware of any DOCUMENT(S) that compare, by volume, the global warming potential of methane released into the atmosphere with that of carbon dioxide? If so, IDENTIFY such DOCUMENT(S) and produce copies of any that are in YOUR possession.

**A.VFDA:VGS.RFA.2-3:** Objection. The question is overly broad and unduly burdensome, and moreover VFDA has the ability to access the documents requested. In addition, global warming is a household term that is used in documents that Petitioner is aware of, such as news articles, on a daily basis, and Petitioner cannot identify and produce all of these documents. Notwithstanding this objection, Petitioner responds: Vermont Gas has seen information indicating methane released into the atmosphere has, by volume, approximately twenty-one times the global warming potential than does the carbon dioxide (CO<sub>2</sub>), by volume. See **Attachment A.Palmer:VGS.2-14(d)**.

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**Q.VFDA:VGS.RFA.2-4:** With reference to PRIOR ANSWER VGS.RFA.1-8: Is Petitioner aware of any DOCUMENT(S) that discuss the percent of the anthropogenic (man-made) sources of methane released into the atmosphere that are attributable to the production, transmission and distribution of energy? If so, IDENTIFY such DOCUMENT(S) and produce copies of any that are in YOUR possession.

**A.VFDA:VGS.RFA.2-4:** Objection. The question is overly broad and unduly burdensome, moreover VFDA has the ability to access the documents requested. The release of greenhouse gases into the atmosphere is an omnipresent topic in documents Petitioner is aware of, such as news reports. Notwithstanding this objection, Petitioner responds: See **Attachment A.Palmer:VGS.2-14(d)**.

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**Q.VFDA:VGS.RFA.2-5:** With reference to PRIOR ANSWER VGS.RFA.1-9: Is Petitioner aware of any DOCUMENT(S) that conclude that methane from natural gas is released into the atmosphere primarily through leaks in the production, transmission and distribution facilities for natural gas? If so, IDENTIFY such DOCUMENT(S) and produce copies of any that are in YOUR possession.

**A.VFDA:VGS.RFA.2-5:** Objection. The question is overly broad and unduly burdensome. Moreover VFDA has the ability to access the documents requested. Notwithstanding this objection, Petitioner responds: See **Attachment A.Palmer:VGS.2-14(d)**.

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**Q.VFDA:VGS.RFA.2-6:** With reference to PRIOR ANSWERS VGS.RFA.1-11 and 1-12: Do you have in your possession any DOCUMENT(S) that discuss(es) the release of the methane in natural gas into the atmosphere through leaks in the production, transmission and/or distribution of natural gas? If so, IDENTIFY such DOCUMENT(S) and produce copies.

**A.VFDA:VGS.RFA.2-6:** See A.VFDA:VGS.RFA.2-5.

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**Q.VFDA:VGS.RFA.2-7:** With reference to PRIOR ANSWERS VGS.RFA.1-11 and 1-12: Do you have in your possession any DOCUMENT(S) that discuss(es) the effect on the atmosphere of the methane in natural gas into the atmosphere through leaks in the production, transmission and/or distribution of natural gas? If so, IDENTIFY such DOCUMENT(S) and produce copies.

**A.VFDA:VGS.RFA.2-7:** Objection, the request is unduly repetitious.

Person Responsible for Response: Kimberly K. Hayden, Esq.

Title: Director, Downs Rachlin Martin PLLC

Date: May 30, 2013

**Q.VFDA:VGS.RFA.2-8:** With reference to PRIOR ANSWER VGS.RFA.1-13: Do YOU have in YOUR possession any DOCUMENT(S) that discuss(es) the release of methane into the atmosphere through leaks in the production, transmission and/or distribution of natural gas and the contribution of such leaks to global warming? If so, IDENTIFY such DOCUMENT(S).

**A.VFDA:VGS.RFA.2-8:** Objection, the request is unduly repetitious.

Person Responsible for Response: Kimberly K. Hayden, Esq.  
Title: Director, Downs Rachlin Martin PLLC  
Date: May 30, 2013

**INTERROGATORIES**

**Q.VFDA:VGS.2-9:** With reference to PRIOR ANSWER VGS.1-16: IDENTIFY the sources from or within the Environmental Protection Agency and U.S. Energy Information Administration that form the basis for each assumption.

**A.VFDA:VGS.2-9:**

- a. See **Attachment A.VFDA:VGS.2-9.**
- b. See **Attachment A.VFDA:VGS.2-9.**
- c. Not applicable: no assumptions were made.
- d. Not applicable: no assumptions were made.
- e. Not applicable: no assumptions were made.
- f. See c.

Person Responsible for Response: Eileen Simollardes  
Title: Vice President, Supply and Regulatory Affairs, Vermont Gas Systems, Inc.  
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**Q.VFDA:VGS.2-10:** With reference to PRIOR ANSWER VGS.1-17, answer the question, which asks for assumptions about the rate of carbon dioxide discharge by users of natural gas, and the basis YOU have for each such assumption. Do not refer to a previous answer.

**A.VFDA:VGS.2-10:** Objection, question is unduly argumentative. The question has been asked and answered. Notwithstanding the objection, See A.VFDA:VGS.1-16a and A.VFDA:VGS.1-16f and A.VFDA:VGS.2-9.

Person Responsible for Response: Eileen Simollardes  
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**Q.VFDA:VGS.2-11:** With reference to PRIOR ANSWER VGS.1-18: Have YOU sought to determine the answers to the questions? Do YOU have in YOUR possession or do you know of any DOCUMENT(S) that YOU consider credible that discuss the answers to the questions? If so, IDENTIFY such DOCUMENT(S) and produce copies

**A.VFDA:VGS.2-11:** Objection. The question is a compound question. Further objection that it is overly broad and unduly burdensome, and Petitioner has already answered the question. See A.VFDA:VGS.1-18. Petitioner has not performed this analysis and has not sought to perform this analysis.

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Title: Vice President, Supply and Regulatory Affairs, Vermont Gas Systems, Inc.  
Date: May 30, 2013

**DOCUMENT PRODUCTION**

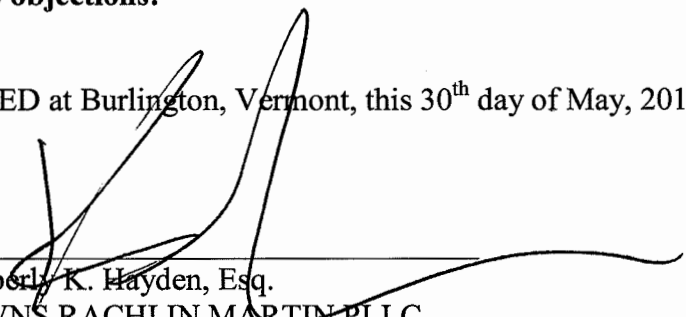
**Q.VFDA:VGS.RTP.2-12:** With reference to PRIOR ANSWER VGS.RTP.1-1: Specify the documents to which YOU refer and the responses in which YOU produced them.

**A.VFDA:VGS.RTP.2-12:** See A.VFDA:VGS.RTP.1-1. Where applicable, responsive documents to each discovery question are identified in the response to each discovery question.

Person Responsible for Response: Kimberly K. Hayden, Esq.  
Title: Director, Downs Rachlin Martin PLLC  
Date: May 30, 2013

**As to objections:**

DATED at Burlington, Vermont, this 30<sup>th</sup> day of May, 2013.



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Kimberly K. Hayden, Esq.  
DOWNS RACHLIN MARTIN PLLC  
Attorneys for Vermont Gas Systems, Inc.  
199 Main Street, P.O. Box 190  
Burlington, VT 05402-0190  
Tel: (802) 863-2375

